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April 18, 2007

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1642

Attn: Mail Stop Amendment

Re: U.S. Utility Patent Application
Appl. No. 10/765,568; Filed: January 28, 2004
For: **Method for Evaluating the Efficacy of Certain Cancer Treatments**
Inventors: CHANG *et al.*
Our Ref: 2474.0100001/BJD/JKM

Sir:

Transmitted herewith for appropriate action are the following documents:

1. First Supplemental Information Disclosure Statement;
2. IDS Form PTO/SB/08A (1 page) citing 1 document (FP1);
3. IDS Form PTO/SB/08B (5 pages) citing 45 documents (NPL1-NPL45);
4. One (1) copy of Documents FPL1 and NPL1-NPL45; and
5. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Jeffrey K. Mills
Agent for Applicants
Registration No. 56,413

JKM/TCS/lam
Enclosures

663000_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CHANG *et al.*

Appl. No.: 10/765,568

Filed: January 28, 2004

For: **Method for Evaluating the
Efficacy of Certain Cancer
Treatments**

Confirmation No.: 8131

Art Unit: 1642

Examiner: HALVORSON, Mark

Atty. Docket: 2474.0100001/BJD/JKM

**First Supplemental Information Disclosure Statement
Under 37 C.F.R. § 1.97(b)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. This First Supplemental Information Disclosure Statement is a continuation of the Applicants' Information Disclosure Statement filed on August 18, 2005, in connection with the above-captioned application.

Copies of documents **FP1** and **NPL1-NPL45** are submitted.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

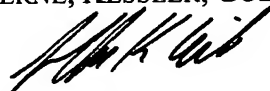
This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey K. Mills
Agent for Applicants
Registration No. 56,413

Date: April 18, 2002

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
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661038v1



Approved for use through 03/31/2007. OMB 0651-0031

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| Application Number | 10/765,568 |
| Filing Date | January 28, 2004 |
| First Named Inventor | CHANG, Esther H. |
| Art Unit | 1642 |
| Examiner Name | HALVORSON, M. |
| Attorney Docket Number | 2474.0100001/BJD/JKM |

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| | | | | First Named Inventor | CHANG, Esther H. |
| | | | | Art Unit | 1642 |
| | | | | Examiner Name | HALVORSON, M. |
| Sheet | 1 | of | 5 | Attorney Docket Number | 2474.0100001/BJD/JKM |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|---|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T ² |
| | NPL1 | ABOUNADER, R., <i>et al.</i> , "In vivo targeting of SF/HGF and c-met expression via U1snRNA/ribozymes inhibits glioma growth and angiogenesis and promotes apoptosis," <i>FASEB J.</i> 16:108-110, Federation of American Societies for Experimental Biology (January 2002) | |
| | NPL2 | ALLEN, T.M., <i>et al.</i> , "A new strategy for attachment of antibodies to sterically stabilized liposomes resulting in efficient targeting to cancer cells," <i>Biochim. Biophys. Acta</i> 1237:99-108, Elsevier Science Inc. (1995) | |
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| | NPL4 | AOKI, K., <i>et al.</i> , "Liposome-mediated <i>in Vivo</i> Gene Transfer of Antisense K-ras Construct Inhibits Pancreatic Tumor Dissemination in the Murine Peritoneal Cavity," <i>Cancer Res.</i> 55:3810-3816, American Association for Cancer Research (1995) | |
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| | | | | Application Number | 10/765,568 |
| | | | | Filing Date | January 28, 2004 |
| | | | | First Named Inventor | CHANG, Esther H. |
| | | | | Art Unit | 1642 |
| | | | | Examiner Name | HALVORSON, M. |
| Sheet | 2 | of | 5 | Attorney Docket Number | 2474.0100001/BJD/JKM |

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| | NPL11 | ESTROV, Z., <i>et al.</i> , "Caspase 2 and Caspase 3 Protein Levels as Predictors of Survival in Acute Myelogenous Leukemia," <i>Blood</i> 92:3090-3097, American Society of Hematology (1998) | |
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| | NPL21 | JACOBSON, M.D., <i>et al.</i> , "Programmed Cell Death in Animal Development," <i>Cell</i> 88:347-354, Cell Press (1997) | |
| | NPL22 | JIANG, A., <i>et al.</i> , "Cell-Type-Specific Gene Transfer into Human Cells with Retroviral Vectors That Display Single-Chain Antibodies," <i>J. Virol.</i> 72:10148-10156, American Society For Microbiology (1998) | |
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| | NPL25 | KONISHI, H., <i>et al.</i> , "Targeting Strategy for Gene Delivery to Carcinoembryonic Antigen-Producing Cancer Cells by Retrovirus Displaying a Single-Chain Variable Fragment Antibody," <i>Human Gene Ther.</i> 9:235-248, Mary Ann Liebert (1998) | |
| | NPL26 | LEE, R.J. and HUANG, L., "Folate-targeted, Anionic Liposome-entrapped Polylysine-condensed DNA for Tumor Cell-specific Gene Transfer," <i>J. Biol. Chem.</i> 271:8481-8487, American Society for Biochemistry and Molecular Biology (1996) | |
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| | NPL31 | MATHIASSEN, I.S. and JÄÄTTELÄ, M., "Triggering caspase-independent cell death to combat cancer," <i>Trends Mol. Med.</i> 8:212-220, Elsevier Science Ltd. (April 2002) | |
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| | NPL36 | NUÑEZ, G., <i>et al.</i> , "Caspases: the proteases of the apoptotic pathway," <i>Oncogene</i> 17:3237-3245, Nature Publishing Group (1998) | |
| | NPL37 | PARK, J.W., <i>et al.</i> , "Development of anti-p185 ^{HER2} immunoliposomes for cancer therapy," <i>Proc. Natl. Acad. Sci. U.S.A.</i> 92:1327-1331, National Academy of Sciences (1995) | |
| | NPL38 | POON, R.Y.M., "Advances in Monoclonal Antibody Applications: Bispecific Antibodies" in <i>Biotechnology International: International Developments in the Biotechnology Industry</i> , Fox, F. and Connor, T.H., eds., Universal Medical Press, Inc., San Francisco, CA, pp. 113-128 (1997) | |
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| | NPL40 | SUN, F., <i>et al.</i> , "Evaluation of oxidative stress during apoptosis and necrosis caused by carbon tetrachloride in rat liver," <i>Biochim. Biophys. Acta</i> 1535:186-191, Elsevier Science B.V. (2001) | |
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| FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | Complete if Known | |
| | | | | Application Number | 10/765,568 |
| | | | | Filing Date | January 28, 2004 |
| | | | | First Named Inventor | CHANG, Esther H. |
| | | | | Art Unit | 1642 |
| | | | | Examiner Name | HALVORSON, M. |
| Sheet | 5 | of | 5 | Attorney Docket Number | 2474.0100001/BJD/JKM |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|---|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published | T ² |
| | NPL41 | SUN, F., <i>et al.</i> , "Evaluation of oxidation stress during apoptosis and necrosis caused by D-galactosamine in rat liver," <i>Biochem. Pharmacol.</i> 65:101-107, Elsevier Science Inc. (January 2003) | |
| | NPL42 | SUZUKI, S., <i>et al.</i> , "Modulation of doxorubicin resistance in a doxorubicin-resistant human leukaemia cell by an immunoliposome targeting transferring receptor," <i>Br. J. Cancer</i> 76:83-89, Nature Publishing Group (1997) | |
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| | NPL45 | WHITACRE, C.M., <i>et al.</i> , "Photodynamic Therapy with the Phthalocyanine Photosensitizer Pc 4 of SW480 Human Colon Cancer Xenografts in Athymic Mice," <i>Clin. Cancer. Res.</i> 6:2021-2027, American Association for Cancer Research (2000) | |
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